



DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA-2125-0018]

Agency Information Collection Activities: Request for Comments for a Revision of a Currently Approved Collection; State Right-of-Way Manuals, OMB Control Number 2125-0586

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice and request for comments.

SUMMARY: The FHWA invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for a revision of a currently approved collection, which is summarized below under **Supplementary Information**. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Please submit comments by [INSERT DATE 60 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit comments identified by DOT Docket ID 2125-0018 by any of the following methods:

Web Site: For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Fax: 1-202-493-2251.

Mail: Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, S.E., Washington, DC 20590-0001.

Hand Delivery or Courier: U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue S.E., Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Melissa Corder, 202-366-5853, Office of Real Estate Services, Federal Highway Administration, Department of Transportation, 1200 New Jersey Ave. S.E., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: State Right-of-Way Operations Manuals.

Background: It is the responsibility of each State Department of Transportation (State) to acquire, manage and dispose of real property in compliance with the legal requirements of State and Federal laws and regulations. Part of providing assurance of compliance is to describe in a right-of-way procedural (operations) manual the organization, policies and procedures of the State to such an extent that these guide State employees, local acquiring agencies, and contractors who acquire and manage real property that is used for a federally funded transportation project. Procedural manuals assure the FHWA that the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) will be met. The State responsibility to prepare and maintain an up-to-date, right-of-way procedural manual is set out in 23 CFR 710.201(c). The regulation allows States flexibility in determining how to meet the manual requirement. This flexibility allows States to prepare manuals in the format of their choosing, to the level of detail necessitated by State complexities. Each State decides how it will provide service to individuals and businesses affected by Federal or federally-assisted projects, while at the same time reducing the burden of government regulation. States are required to update manuals to reflect changes in Federal requirements for programs administered under Title 23 U.S.C. In addition to the annual updates, further lengthy updates of each manual will be required due to the amending of 23 CFR 710 and 49 CFR 24 regulations, as prompted by the enactment of the Moving Ahead for Progress in the 21st Century Act (MAP-21). The updated State manuals may be submitted to FHWA electronically or made available by posting on the State web site.

Respondents:

Regular update of manual - 52 State Departments of Transportation, including the District of Columbia and Puerto Rico (**52 respondents**)

23 CFR 710 regulatory revisions - 52 State Departments of Transportation, including District of Columbia and Puerto Rico (**52 respondents**)

49 CFR 24 regulatory revisions - two additional DOT Modes with 50 large grantees each (100 respondents) & 12 additional agencies with 12 grantees (12 respondents) **112 respondents**

Frequency:

Regular update of manual - Annual basis and certify every 5 years

23 CFR 710 regulatory revisions - a one-time collection

49 CFR 24 regulatory revisions - a one-time collection

Estimated Average Burden per Response:

Regular update of manual – 15 hours

23 CFR 710 regulatory revisions - 225 hours

49 CFR 24 regulatory revisions – 225 hours

Estimated Total Annual Burden Hours:

Regular update of manual: 52 respondents x 15 hours = 780 burden hours

23 CFR 710 regulatory revisions: 52 respondents x 225 hours = 11,700 burden hours

49 CFR 24 regulatory revisions: 112 respondents x 225 hours = 25,200 burden hours

Total: 780 hrs. + 11,700 hrs. + 25,200 hrs. = 37,680 total burden hours.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request

for OMB's clearance of this information collection.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued On: May 17, 2023

Michael Howell,

Information Collection Coordinator.

[FR Doc. 2023-10916 Filed: 5/22/2023 8:45 am; Publication Date: 5/23/2023]